



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL B LEWIS,

Defendant.

CASE NO. 3:19-cr-05478-CVB-1

ORDER ON MOTION FOR AN
ORDER ADDRESSING THE
CONTINUANCE OF THE TRIAL

THIS COURT having considered the United States' motion for a continuance of the trial date and the facts set forth therein and General Order 07-20 of the United States District Court for the Western District of Washington addressing measures to reduce the spread and health risks from COVID-19,¹ which is incorporated herein by reference, hereby FINDS as follows:

1. In light of the recommendations made by the Centers for Disease Control and Prevention and the Governor of the State of Washington regarding social distancing

¹ Available at <https://www.wawd.uscourts.gov/general-orders-current>.

1 measures required to stop the spread of this disease, it is not possible at this time to
2 proceed with a jury trial.

3 2. Further, it would be difficult, if not impossible, to get a jury pool that would
4 represent a fair cross section of the community.

5 3. As a result, the failure to grant a continuance of the trial date in this case would
6 likely result in a miscarriage of justice. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends
7 of justice served by continuing the trial in this case outweigh the best interest of the
8 public and defendant to a speedy trial.

9 IT IS THEREFORE ORDERED that the parties participate in a status conference on
10 **June 17, 2019 at 9:30 AM.** The purpose of the status conference will be to discuss a date on
11 which the trial can be scheduled and take place without any potential impact on the health of all
12 participants or the community.

13 IT IS FURTHER ORDERED that the period of time from the date of this order up to and
14 including the date to be set for the trial at the status conference shall be excludable time pursuant
15 to 18 U.S.C. § 3161.

16 Dated this 6th day of May, 2020.

17
18 
19 J. Richard Creatura
United States Magistrate Judge
20
21
22
23
24